

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RYAN KING, a/k/a REID GARREN,

Petitioner,

v.

MICHAEL B. MUKASEY,

Respondent.

NO. 3:08-CV-2298

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SMYSER)

MEMORANDUM ORDER

Presently before the Court is the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 of Petitioner Ryan King, also known as Garren Reid. (Doc. 1.) Petitioner's removal to Jamaica has been ordered by Immigration and Customs Enforcement ("ICE"). In his Petition, he alleged that the length of his post-order custody by ICE was unconstitutional and requested his immediate release under supervised conditions.

Respondent responded to the Petition (Doc. 5) and Petitioner filed a Traverse (Doc. 6). On March 2, 2009, Magistrate Judge Smyser held a hearing to facilitate a factual determination regarding whether there was a significant likelihood of Petitioner's removal in the reasonably foreseeable future in accordance with *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001) ("an alien may be held in confinement until it has been determined that there is no significant likelihood of removal in the reasonably foreseeable future"). The Magistrate Judge then issued a Report and Recommendation finding that the removal process was going forward and recommending denial of the Petition. (Doc. 11.) Petitioner filed an Objection to the Report and Recommendation (Doc. 13) and Respondent filed a Brief in Opposition to the Objection (Doc. 14).

On June 19, 2009, before this Court adopted or rejected the Report and Recommendation, Respondent filed notice with the Court that Petitioner was released on electronic monitoring on June 1, 2009. (Doc. 15.) Respondent provides documentary evidence of the release. (Ex. 1, Doc. 15.) Because Petitioner requested supervised release from ICE custody, his Petition has now been rendered moot. *See Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698-99 (3d Cir. 1996) (“If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.”). Accordingly, the Court will dismiss the Petition.

NOW, this 23rd day of June, 2009, **IT IS HEREBY ORDERED THAT** the Petition for a Writ of Habeas Corpus of Petitioner Ryan King, a/k/a Garren Reid (Doc. 1), is **DISMISSED as moot**. The Clerk of Court shall mark this matter as **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge